

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – November 3, 2011
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 - 43*)

Members: Henry P. Szymanski (*voting on items 1 - 43*)
Donald Jackson (*voting on items 1 - 43*)
Martin E. Kohler (*voting on items 1 - 43*)

Alt. Board Members: Jose L. Dominguez (*voting on items 1 - 43*)
Leni M. Siker (*present for items 1 - 43*)

START TIME: 4:13 p.m.

END TIME: 6:07 p.m.

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	31259 Other	Edward Burlakov Lessee	8302 W. Lisbon Av. 5th Dist.

Request to appeal an order from the Department of Neighborhood Services stating that the applicant has not complied with the conditions of case #30612. (This is a revocation order).

Action: Dismissed

Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.

Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.

Conditions of Approval: --

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	31187 Special Use	Bright Beginnings Children Center Chandra Cooper;Lessee Request to increase the days of operation from Monday - Saturday to Monday - Sunday for a Board approved 24 hour day care center for 81 children per shift infant to 12 years of age.	4248 N. 76th St. A/K/A 4248 N. 76th St. 1 2nd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	30942 Use Variance	Emily Stalker and John Chirillo Lessee Request to occupy a mobile home on the premises.	2978 N. Fratney St. 3rd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
4	31371 Special Use	<p>Social Development Commission Community Relations; Jim Guldán, Director; Lessee</p> <p>Request to increase the hours from 7:30 a.m. - 5:00 p.m to 7:30 a.m. - 5:30 p.m. and to continue occupying the premises as a day care center for 37 children per shift (20 children full-day with 2 half-day classes of 17 children each), 3 to 5 years of age, operating Monday - Friday.</p> <p>Action: Granted</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 7. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on July 13, 2020. 	<p>2430 W. Wells St. A/K/A 2424 W. Wells St. 301 4th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	31393 Special Use	Kari Turner Lessee Request to continue occupying the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 10:30 p.m.	4473 N. 76th St. A/K/A 4473 B N. 76th St. 5th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
6	31397 Special Use	Michael Haney Lessee Request to occupy the premises as a second-hand sales facility.	10734 W. Hampton . A/K/A 10734 W. Hampton Av. 5th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of the Alderman of the District. and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	31383 Special Use	<p>Surjit Toor Citgo on Teutonia;Property Owner</p> <p>Request to continue occupying the premises as a motor vehicle filling station and car wash.</p>	<p>3551 N. Teutonia Av. A/K/A 3545 N. Teutonia Av. 6th Dist.</p>
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises.</p> <p>7. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner.</p> <p>8. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>10. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	31388 Special Use	M&S Clinical Services Mr. Mark Fossie;Lessee Request to continue occupying the premises as a social service facility.	2821 N. 4th St. A/K/A 2821 N. 4th St. 206 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
9	31343 Special Use	Sandhar Corporation Amarjit S. Sandhar;Property Owner Request to continue occupying the premises as a motor vehicle filling station and car wash.	4137 W. Fond Du Lac Av. 7th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	31350 Special Use	Earnest Bridges Lessee	3002 W. Burleigh St. 7th Dist.
		Request to occupy the premises as a car wash.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That all wastewater is contained on site.</p> <p>7. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	31376 Special Use	Mission of the Harvest Church of God Lessee Request to continue occupying a portion of the premises as a religious assembly hall.	4345 W. Fond Du Lac Av. A/K/A 4347 W. Fond Du Lac Av. A 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
12	31400 Special Use	Tangie M. Cokes dba Tangie's Just Like Mommy Childcare, LLC;Prospective Buyer Request to continue occupying the premises as a day care center for 47 children per shift infant to 12 years of age, operating Monday - Saturday 5:00 a.m. - 1:00 a.m..	3343 N. 35th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	31353 Special Use	Hadley Child Care and Learning Center II LaQuanda Gray;Property Owner Request to increase the number of children from 50 to 90 per shift and to continue occupying the premises as a day care center for children infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - midnight (this is a new operator).	5520 W. Burleigh St. 10th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
14	31398 Special Use	Lea Kyle-Lewis Lessee Request to continue occupying the premises as a social service facility.	6040 W. Lisbon Av. A/K/A 6040 W. Lisbon Av. 102 10th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	31396 Special Use	Genoveva Lozada Property Owner Request to continue occupying the premises as a sit-down restaurant.	901 S. 10th St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
16	31375 Special Use	Wheaton Franciscan Healthcare - St. Francis, Inc. Attn: Dan Mattes, President;Property Owner Request to raze an existing building and rebuild an addition to the existing hospital that exceeds the maximum allowed height (allowed 17 ft. / proposed 60 ft.).	3260 S. 18th St. A/K/A 3237 S. 16th St. 13th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	31373 Special Use	Abdul Haq Property Owner Request to continue occupying the premises as a motor vehicle filling station.	2341 S. Chase Av. A/K/A 2341 S. Chase . 14th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
18	31392 Special Use	Sage Schwarm & Rebecca Heck Lessee Request to continue occupying the premises as a second-hand sales facility.	2649 S. Kinnickinnic Av. A/K/A 2649 S. Kinnickinnic Av. D 14th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

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19	31394 Special Use	Casey Foltz Property Owner Request to continue occupying the premises as a tavern (this is a new operator).	2461 S. St Clair St. A/K/A 1210 E. Potter Av. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner.</p> <p>6. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on October 31, 2016.</p>	
20	31367 Special Use	Fernando Behena Property Owner Request to occupy the premises as a fast-food / carry-out restaurant with a drive-through.	3621 W. North Av. A/K/A 3629 W. North Av. 15th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	31390 Special Use	Sherece Method Lessee Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	3511 W. Lisbon Av. A/K/A 3513 W. Lisbon Av. 2 15th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
22	31345 Special Use	Cedric Horton Lessee Request to continue occupying the premises as a tavern.	5138 N. 37th St. A/K/A 5140 N. 37th St. 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	31352 Special Use	<p>Sheron A Rembert Lessee</p> <p>Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.</p> <p>Action: Granted 3 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available. 24 hours a day 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	<p>7110 W. Fond Du Lac Av. A/K/A 7112 W. Fond Du Lac Av. 2nd Dist.</p>

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24	31379 Special Use	Khahra I LLC Rabinder Khahra;Property Owner Request to continue occupying the premises as a motor vehicle filling station.	6325 N. 76 St. A/K/A 6325 N. 76th St. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 9. That landscaping and screening is maintained in a manner that meets the intent of city code. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	31416 Use Variance	Damien Scardina Lessee Request to occupy the premises as a light manufacturing facility (manufacture and sale of sausage).	820 E. Chambers St. A/K/A 820 E. Chambers St. A 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for manufacturing occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>6. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</p>	
26	31207 Special Use	Paul Bouraxis Property Owner Request to continue occupying the premises as a restaurant with a drive-through facility.	7822 W. Capitol Dr. 5th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	31229 Special Use	Calvary's Christian Academy Shelina Harvey;Lessee Request to occupy the premises as a school for 150 students K4 - 8th grades.	510 E. Burleigh St. A/K/A 518 E. Burleigh St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	
28	31225 Special Use	Cynthia Johnson WE Source Children and Family Services;Property Owner Request to continue occupying a portion of the premises as a group home for 8 occupants.	4821 W. Burleigh St. A/K/A 4821 W. Burleigh St. 4 7th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	31222 Special Use	Joel Vargas & Petronilo Razo Property Owner Request to occupy the premises as a general retail establishment (pet food and supplies).	1801 S. 25th St. A/K/A 1801 S. 25th St. 3 8th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
30	31230 Special Use	Jared Bell Lessee Request to occupy a portion of the premises as a motor vehicle sales facility.	1595 S. 38th St. A/K/A 1579 S. 38th St. 8th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
31	31297 Special Use	R & A Enterprise, Inc. Raul Gonzalez; Lessee Request to occupy the premises as an assembly hall.	3419 W. Forest Home Av. A/K/A 3419 A W. Forest Home Av. 8th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	31261 Use Variance	Juana and Jesus Contreras Property Owner Request to occupy a portion of the premises as a contactor's yard and an outdoor storage facility.	6603 N. 56th St. A/K/A 6602 N. 57th St. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicnat has no more than four vehicles including trailers parked outside of the garage at any one time. 5. That the applicant parks all vehicles on an approved concrete or asphalt surface and the paved parking area does not exceed 1000 square feet. 6. That the premises is developed & utilized in accordance with the plan submitted to the Board on November 1, 2011 7. That these Variances are granted for a period of ten (10) years, commencing with the date hereof. 	
33	31069 Dimensional Variance	Pettit National Ice Center Randy Dean;Property Owner Request to erect an off-premise sign that exceeds the allowed distance between freeway signs.	450 S. 84th St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	31347 Special Use	Marco Guerrero dba Uno's Auto Repair Prospective Buyer Request to occupy the premises as a motor vehicle repair facility.	3401 W. Lincoln Av. 11th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
35	31386 Use Variance	Jaun M. Sanchez & Rosaura Sanchez Property Owner Request to occupy a portion of the premises as a currency exchange.	1035 W. National Av. A/K/A 1039 W. National Av. 12th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	31374 Special Use	Ram Suvedi Mt. Everest Holding Co, LLC;Property Owner Request to raze and rebuild a motor vehicle filling station.	1301 W. Morgan Av. A/K/A 3515 S. 13th St. 13th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises.</p> <p>6. That the landscape and screening plan submitted to the Board of Zoning Appeals on September 16, 2011 is revised to include landscaping along the W. Morgan Ave frontage between the driveway and the west property line. The revised landscape plan may require permission from the City Forester to plant in the city Right-of-Way.</p> <p>7. That landscaping and screening in accordance with an approved landscape plan is installed within 120 days of occupancy, and is maintained in a manner that meets the intent of city code.</p> <p>8. That all building signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code and that no additional freestanding signage or canopy signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>9. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	31381 Special Use	North American Central School Bus GLS Leased, Inc.; Greg Brandt;Property Owner Request to erect a transmission tower that exceeds a height of 85 feet.	200 W. Oklahoma Av. 14th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
38	31102 Special Use	The Cobra's MC Inc. Lessee Request to occupy the premises as an assembly hall.	3726 W. Vliet St. A/K/A 3728 W. Vliet St. 15th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 2 Nays, 0 Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	31385 Special Use	Shedrick & Tabettha Donaldson dba Executive Detailing; Lessee Request to occupy the premises as a car wash.	4911 N. 31st St. A/K/A 4919 N. 31st St. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code. 5. That all car wash activity is conducted inside of the building. 6. That all wastewater is contained on site. 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	31277 Use Variance	O'Byrne Group LLC Sean O'Byrne;Property Owner Request to occupy the premises as a laundromat.	5250 N. Sherman Bl. A/K/A 5278 N. Sherman Bl. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner submits plans prepared by an architect for the conversion of this building, obtains all required permits and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for business/factory occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>5. That the premises is developed in accordance with the façade & floor plans submitted to the Board on October 27, 2011. Specifically that windows along the N. Sherman Blvd façade for the Laundromat are installed as a condition of occupancy, and that any occupant of any of the other storefronts located along the N. Sherman Blvd façade must install windows at the time of their occupancy.</p> <p>6. That glazing for windows along the N. Sherman Blvd façade must meet the transparency standards of s295-605-2-i-3-c of the Milwaukee Code of Ordinances.</p> <p>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.</p> <p>8. That a revised site plan depicting the driveway and parking area is submitted. The revised plan should also include landscaping.</p> <p>9. That this Varince is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	31311 Dimensional Variance	Randolph & Latoya Sims Property Owner Request to allow a fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 6 ft.). Action: Granted Motion: Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land.	4251 N. 72nd St. 2nd Dist.
42	30999 Dimensional Variance	Robert Buhler Lessee Request to erect a roof sign (a roof sign is not permitted in a local business district).	1609 E. North Av. A/K/A 1609 B E. North Av. 3rd Dist.
		Action: Dismissed Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Jose Dominguez. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: --	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	31295 Use Variance	Joe Berrada Property Owner Request to occupy the premises as an animal boarding facility.	2070 N. Riverboat Rd. A/K/A 2072 N. Commerce St. 6th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of the applicant and will be rescheduled for the next available contested hearing.	
	Vote:	--	
	Conditions of Approval:	--	

Other Business:

Board member Jackson moved to approve the minutes of the October 13, 2011 meeting. Seconded by Board member Szyamsnki. Unanimously approved.

The Board set the next meeting for December 1, 2011.

Board member Szymanski moved to adjourn the meeting at 6:07 p.m.. Seconded by Board member Kohler. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board